

REMARKS

This is a full and timely response to the restriction requirement Office Action January 24, 2005. The Examiner has required the Applicant to elect to prosecute one of three groups of claims identified in the Office Action. In response to the restriction requirement, Applicant respectfully elects to prosecute the claims of Group I (claims 1-16), with traverse, as set out hereafter.

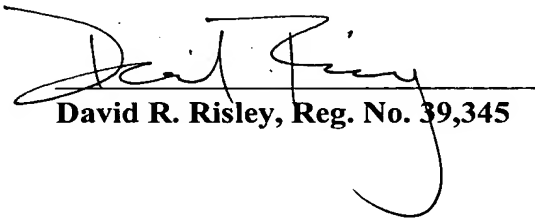
First, in the interests of equity and fairness, Applicant should be entitled to pursue different types of claims in the present application, particularly, method, system, and device claims, to fully protect the disclosed invention. If the restriction is maintained, Applicant will need to bear the costs associated with pursuing three (3) different patent applications to protect each type of claim.

Second, as is provided in 35 U.S.C. § 121, restriction to one of two or more claimed inventions is proper only if the inventions are “independent and distinct.” In the present case, Groups I, II, and III, although not obvious in view of each other, are similar in subject matter. More specifically, each pertains to *pay printing*. For this reason, Applicant respectfully submits that the inventions described in the claims are not “independent” as defined in MPEP § 121 and that restriction between each of the Groups is improper.

Third, MPEP § 803 explicitly states that if search and examination of two or more inventions can be made without “serious burden,” the Examiner *must* examine each on the merits, even if the claims are directed to distinct or independent inventions. In this case, it appears that a search for the method, system, and device would be conducted within the same search class or classes. Accordingly, it would not be overly burdensome on the Examiner to search for each of Applicant’s claims at the same time.

For at least the foregoing reasons, Applicant respectfully traverses the restriction requirement and respectfully requests the Examiner to examine the claims of Groups I, II, and III together. Applicant expressly reserves the right to present the non-elected claims, or variants thereof, in continuing applications to be filed subsequent to the present application. Should the Examiner have any questions regarding this response, the Examiner is invited to telephone the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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